



Substitute House Bill No. 6669

Public Act No. 05-235

AN ACT CONCERNING ABSENTEE VOTING, ELECTIONS ENFORCEMENT, A VOTING TECHNOLOGY STANDARDS BOARD, NOMINATION PROCEDURES, TRAINING FOR ELECTION OFFICIALS, CAMPAIGN FINANCE REPORTING, RESTORATION OF VOTING RIGHTS AND VOTER REGISTRATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 9-135 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005*):

(a) Any elector eligible to vote at a primary or an election and any person eligible to vote at a referendum may vote by absentee ballot if he is unable to appear at his polling place during the hours of voting for any of the following reasons: (1) His active service with the armed forces of the United States; (2) his absence from the town of his voting residence during all of the hours of voting; (3) his illness; (4) his physical disability; (5) the tenets of his religion forbid secular activity on the day of the primary, election or referendum; or (6) the required performance of his duties as a primary, election or referendum official at a polling place other than his own during all of the hours of voting at such primary, election or referendum.

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(b) No person shall misrepresent the eligibility requirements for voting by absentee ballot prescribed in subsection (a) of this section, to any elector or prospective absentee ballot applicant.

Sec. 2. Subsection (a) of section 9-140 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005*):

(a) Application for an absentee ballot shall be made to the clerk of the municipality in which the applicant is eligible to vote or has applied for such eligibility. Any person who assists another person in the completion of an application shall, in the space provided, sign the application and print or type his name, residence address and telephone number. Such signature shall be made under the penalties of false statement in absentee balloting. The municipal clerk shall not invalidate the application solely because it does not contain the name of a person who assisted the applicant in the completion of the application. The municipal clerk shall not distribute with an absentee ballot application any material which promotes the success or defeat of any candidate or referendum question. The municipal clerk shall maintain a log of all absentee ballot applications provided under this subsection, including the name and address of each person to whom applications are provided and the number of applications provided to each such person. Each absentee ballot application provided by the municipal clerk shall be consecutively numbered and be stamped or marked with the name of the municipality issuing the application. The application shall be signed by the applicant under the penalties of false statement in absentee balloting on (1) the form prescribed by the Secretary of the State pursuant to section 9-139a, (2) a form provided by any federal department or agency if applicable pursuant to section 9-153a, or (3) any of the special forms of application prescribed pursuant to section 9-150c, 9-153a, 9-153b, 9-153d, 9-153e, 9-153f or 9-

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158d, if applicable. Any such absentee ballot applicant who is unable to write may cause the application to be completed by an authorized agent who shall, in the spaces provided for the date and signature, write the date and name of the absentee ballot applicant followed by the word "by" and his own signature. If the ballot is to be mailed to the applicant, the applicant shall list the bona fide personal mailing address of the applicant in the appropriate space on the application.

Sec. 3. Section 9-140 of the general statutes is amended by adding subsections (k) to (o), inclusive, as follows (*Effective July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005*):

(NEW) (k) (1) A person shall register with the town clerk before distributing five or more absentee ballot applications for an election, primary or referendum, not including applications distributed to such person's immediate family. Such requirement shall not apply to a person who is the designee of an applicant.

(2) Any person who distributes absentee ballot applications shall maintain a list of the names and addresses of prospective absentee ballot applicants who receive such applications, and shall file such list with the town clerk prior to the date of the primary, election or referendum for which the applications were so distributed. Any person who distributes absentee ballot applications and receives an executed application shall forthwith file the application with the town clerk.

(NEW) (l) No candidate, party or political committee, or agent of such candidate or committee shall mail unsolicited applications for absentee ballots to any person, unless such mailing includes: (1) A written explanation of the eligibility requirements for voting by absentee ballot as prescribed in subsection (a) of section 9-135, as amended by this act, and (2) a written warning that voting or

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attempting to vote by absentee ballot without meeting one or more of such eligibility requirements subjects the elector or applicant to potential civil and criminal penalties. As used in this subsection, "agent" means any person authorized to act on behalf of another person.

(NEW) (m) The Secretary of the State shall conspicuously post on the Secretary of the State's web site, adjacent to the absentee ballot application form available for downloading, a notice that the application may be downloaded by a person only for (1) the person's own use, (2) the use of a member of the person's immediate family, or (3) the use of a designee of the applicant. The notice shall also contain an advisory statement concerning the requirements of subsection (k) of this section.

(NEW) (n) The State Elections Enforcement Commission, in consultation with the Secretary of the State, shall prepare a summary of the requirements and prohibitions of the absentee voting laws, which shall be posted on said agencies' web sites. Candidates and political party chairpersons shall provide such summary to campaign and party employees and volunteers.

(NEW) (o) As used in this section, (1) "immediate family" has the same meaning as provided in subsection (a) of section 9-140b, and (2) "designee" has the same meaning as provided in subsection (b) of section 9-140b.

Sec. 4. Section 9-159q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005*):

(a) As used in this section:

(1) "Institution" means a veterans' health care facility, residential

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care home, health care facility for the handicapped, nursing home, rest home, mental health facility, alcohol or drug treatment facility, [or] an infirmary operated by an educational institution for the care of its students, faculty and employees or an assisted living facility; and

(2) "Designee" means an elector of the same town and political party as the appointing registrar of voters which elector is not an employee of the institution at which supervised voting is conducted.

(b) Notwithstanding any provision of the general statutes to the contrary, if less than twenty of the patients in any institution in the state are electors, absentee ballots voted by such electors shall, upon request of either registrar of voters in the town of such electors' voting residence or the administrator of such institution, be voted under the supervision of such registrars of voters or their designees in accordance with the provisions of this section. The registrars of voters of a town other than the town in which an institution is located may refuse a request by the administrator of such institution when, in their written opinion, the registrars agree that such request is unnecessary, in which case this section shall not apply. Such registrars shall inform the administrator and the town clerk of the electors' town of voting residence of their refusal.

(c) Except as provided in subsection (e) of this section, such request shall be made in writing and filed with the town clerk and registrars of voters of the town of such electors' voting residence, not more than forty-five days prior to an election or thirty-four days prior to a primary and not later than the seventh day prior to an election or primary. The request shall specify the name and location of the institution and the date and time when the registrars of voters or their designees shall supervise the casting of absentee ballots at the institution. The request shall also specify one or more alternate dates and times when supervised voting may occur. No request shall specify a date or an alternate date for supervised voting which is later than the

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last business day before the election or primary.

(d) The town clerk shall not mail or otherwise deliver an absentee ballot to an applicant who is a patient in any institution if a request for supervision of absentee balloting at that institution has been filed with the clerk during the period set forth in subsection (c) of this section. The clerk shall instead deliver such ballot or ballots to the registrars of voters or their designees who will supervise the voting of such ballots in accordance with this section.

(e) Except in the case of a written refusal as provided in subsection (b) of this section, upon receipt of a request for supervision of absentee balloting during the period set forth in subsection (c) of this section, the registrar or registrars of voters who received the request shall inform the registrar or administrator who made the request and the town clerk as to the date and time when such supervision shall occur, which shall be the date and time contained in the request or the alternate date and time contained in the request. If the registrar or registrars fail to select either date, the supervision shall take place on the date and time contained in the request. If a request for supervision of absentee balloting at an institution is filed during the period set forth in subsection (c) of this section and the town clerk receives an application for an absentee ballot from a patient in the institution after the date when supervised balloting occurred, either registrar of voters may request, in writing, to the appropriate town clerk and registrars of voters that the supervision of the voting of absentee ballots at such institution in accordance with this section be repeated, and in such case the registrars or their designees shall supervise absentee balloting at such institution on the date and at the time specified in the subsequent request, which shall be not later than the last business day before the election or primary.

(f) On the date when the supervision of absentee balloting at any institution is to occur, the town clerk shall deliver to the registrars or

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their designees the absentee ballots and envelopes for all applicants who are electors of such clerk's town and patients at such institution. The ballot and envelopes shall be prepared for delivery to the applicant as provided in sections 9-137 to 9-140a, inclusive. The registrars or their designees shall furnish the town clerk a written receipt for such ballots.

(g) The registrars or their designees, as the case may be, shall jointly deliver the ballots to the respective applicants at the institution and shall jointly supervise the voting of such ballots. The ballots shall be returned to the registrars or their designees by the electors in the envelopes provided and in accordance with the provisions of sections 9-137, 9-139 and 9-140a. If any elector asks for assistance in voting his ballot, two registrars or their designees of different political parties or, for a primary, their designees of different candidates, shall render such assistance as they deem necessary and appropriate to enable such elector to vote his ballot. The registrars or their designees may reject a ballot when (1) the elector declines to vote a ballot, or (2) the registrars or their designees are unable to determine how the elector who has requested their assistance desires to vote the ballot. When the registrars or their designees reject a ballot, they shall mark the serially-numbered outer envelope "rejected" and note the reasons for rejection. Nothing in this section shall limit the right of an elector to vote his ballot in secret.

(h) After all ballots have been voted or marked "rejected" in accordance with subsection (g) of this section, the registrars or their designees shall jointly deliver or mail them in the envelopes, which shall be sealed, to the appropriate town clerk, who shall retain them until delivered in accordance with section 9-140c.

(i) When an institution is located in a town having a primary, the registrar in that town of the party holding the primary shall appoint for each such institution, one designee of the party-endorsed

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candidates and one designee of the contestants from the lists, if any, submitted by the party-endorsed candidates and contestants. Such registrar shall notify all party-endorsed candidates and all contestants of their right to submit a list of potential designees under this section. Each party-endorsed candidate and each contestant may submit to such registrar in writing a list of names of potential designees, provided any such list shall be submitted not later than ten days before the primary. If no such lists are submitted within said period, such registrar shall appoint one designee of the party-endorsed candidates and one designee of the contestants. Each designee appointed pursuant to this section shall be sworn to the faithful performance of his duties, and the registrar shall file a certificate of each designation with his town clerk.

(j) Any registrar of voters who has filed a request that the absentee balloting at an institution be supervised and any registrar required to conduct a supervision of voting under this section, who neglects to perform any of the duties required of him by this section so as to cause any elector to lose his vote shall be guilty of a class A misdemeanor. Any registrar from the same town as a registrar who has filed such a request may waive his right to participate in the supervision of absentee balloting.

(k) Notwithstanding any provision of this section to the contrary, if the spouse or a child of a registrar of voters or a dependent relative residing in the registrar's household is a candidate in the election or primary for which supervised absentee voting is to occur, such registrar shall not supervise such absentee voting but may designate the deputy registrar of voters or an assistant registrar of voters, appointed by the registrar pursuant to section 9-192, to supervise the absentee voting in his place.

(l) Notwithstanding any provision of the general statutes, if a town clerk receives twenty or more absentee ballot applications from the

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same street address in a town, including, but not limited to, an apartment building or complex, absentee ballots voted by the electors submitting such applications may, at the discretion of the registrars of voters of such town, be voted under the supervision of such registrars of voters or their designees in accordance with the same procedures set forth in this section for supervised absentee voting at institutions.

Sec. 5. Subsection (c) of section 54-56e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005*):

(c) This section shall not be applicable: (1) To any person charged with a class A felony, a class B felony, except a violation of section 53a-122 that does not involve the use, attempted use or threatened use of physical force against another person, or a violation of section 14-227a, subdivision (2) of subsection (a) of section 53-21, section 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged with a crime or motor vehicle violation who, as a result of the commission of such crime or motor vehicle violation, causes the death of another person, (3) to any person accused of a family violence crime as defined in section 46b-38a who (A) is eligible for the pretrial family violence education program established under section 46b-38c, or (B) has previously had the pretrial family violence education program invoked in such person's behalf, (4) to any person charged with a violation of section 21a-267 or 21a-279 who (A) is eligible for the pretrial drug education program established under section 54-56i, or (B) has previously had the pretrial drug education program invoked in such person's behalf, [or] (5) unless good cause is shown, to any person charged with a class C felony, or (6) to any person charged with a violation of section 9-359 or 9-359a.

Sec. 6. Subsection (a) of section 9-7b of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) The State Elections Enforcement Commission shall have the following duties and powers:

(1) To make investigations on its own initiative or with respect to statements filed with the commission by the Secretary of the State or any town clerk, or upon written complaint under oath by any individual, with respect to alleged violations of any provision of the general statutes relating to any election or referendum, any primary held pursuant to section 9-423, 9-425 or 9-464 or any primary held pursuant to a special act, and to hold hearings when the commission deems necessary to investigate violations of any provisions of the general statutes relating to any such election, primary or referendum, and for the purpose of such hearings the commission may administer oaths, examine witnesses and receive oral and documentary evidence, and shall have the power to subpoena witnesses under procedural rules the commission shall adopt, to compel their attendance and to require the production for examination of any books and papers which the commission deems relevant to any matter under investigation or in question. In connection with its investigation of any alleged violation of any provision of chapter 145, or of any provision of section 9-359 or section 9-359a, the commission shall also have the power to subpoena any municipal clerk and to require the production for examination of any absentee ballot, inner and outer envelope from which any such ballot has been removed, depository envelope containing any such ballot or inner or outer envelope as provided in sections 9-150a and 9-150b and any other record, form or document as provided in section 9-150b, in connection with the election, primary or referendum to which the investigation relates. In case of a refusal to comply with any subpoena issued pursuant to this subsection or to testify with respect to any matter upon which that person may be lawfully interrogated,

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the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof. In any matter under investigation which concerns the operation or inspection of or outcome recorded on any voting machine, the commission may issue an order to the municipal clerk to impound such machine until the investigation is completed;

(2) To levy a civil penalty not to exceed (A) two thousand dollars per offense against any person the commission finds to be in violation of any provision of chapter 145, part V of chapter 146, part I of chapter 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17, section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, [or] (B) two thousand dollars per offense against any town clerk, registrar of voters, an appointee or designee of a town clerk or registrar of voters, or any other election or primary official whom the commission finds to have failed to discharge a duty imposed by any provision of chapter 146 or 147, (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum, or (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 150. The commission may levy a civil penalty against any person under subparagraph (A), [or] (B), (C) or (D) of this subdivision only after giving the person an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive. In the case of failure to pay any such penalty levied

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pursuant to this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed and such court costs, state marshal's fees and attorney's fees incurred by the commission as the court may determine. Any civil penalties paid, collected or recovered under subparagraph [(B)] (D) of this subdivision for a violation of any provision of chapter 150 applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation;

(3) (A) To issue an order requiring any person the commission finds to have received any contribution or payment which is prohibited by any of the provisions of chapter 150, after an opportunity to be heard at a hearing conducted in accordance with the provisions of sections 4-176e to 4-184, inclusive, to return such contribution or payment to the donor or payor, or to remit such contribution or payment to the state for deposit in the General Fund, whichever is deemed necessary to effectuate the purposes of chapter 150;

(B) To issue an order when the commission finds that an intentional violation of any provision of chapter 150 has been committed, after an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, which order may contain one or more of the following sanctions: (i) Removal of a campaign treasurer, deputy campaign treasurer or solicitor; (ii) prohibition on serving as a campaign treasurer, deputy campaign treasurer or solicitor, for a period not to exceed four years; and (iii) in the case of a party committee or a political committee, suspension of all political activities, including, but not limited to, the receipt of contributions and the making of expenditures, provided the commission may not order such a suspension unless the commission has previously ordered the removal of the campaign treasurer and notifies the officers of the

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committee that the commission is considering such suspension;

(C) To issue an order revoking any person's eligibility to be appointed or serve as an election, primary or referendum official or unofficial checker or in any capacity at the polls on the day of an election, primary or referendum, when the commission finds such person has intentionally violated any provision of the general statutes relating to the conduct of an election, primary or referendum, after an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive;

(D) To issue an order to enforce the provisions of the Help America Vote Act, P.L. 107-252, as amended from time to time, as the commission deems appropriate;

(E) To issue an order following the commission's determination of the right of an individual to be or remain an elector when such determination is made (i) pursuant to an appeal taken to the commission from a decision of the registrars of voters or board of admission of electors under section 9-31l, as amended by this act, or (ii) following the commission's investigation pursuant to subdivision (1) of this subsection;

(4) To inspect or audit at any reasonable time and upon reasonable notice the accounts or records of any campaign treasurer or principal campaign treasurer, as required by chapter 150 and to audit any such election, primary or referendum held within the state; provided, (A) (i) not later than two months preceding the day of an election at which a candidate is seeking election, the commission shall complete any audit it has initiated in the absence of a complaint that involves a committee of the same candidate from a previous election, and (ii) during the two-month period preceding the day of an election at which a candidate is seeking election, the commission shall not initiate an audit in the absence of a complaint that involves a committee of the same

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candidate from a previous election, and (B) the commission shall not audit any caucus, as defined in subdivision (1) of section 9-372;

(5) To attempt to secure voluntary compliance, by informal methods of conference, conciliation and persuasion, with any provision of chapters 149 to 153, inclusive, or any other provision of the general statutes relating to any such election, primary or referendum;

(6) To consult with the Secretary of the State, the Chief State's Attorney or the Attorney General on any matter which the commission deems appropriate;

(7) To refer to the Chief State's Attorney evidence bearing upon violation of any provision of chapters 149 to 153, inclusive, or any other provision of the general statutes pertaining to or relating to any such election, primary or referendum;

(8) To refer to the Attorney General evidence for injunctive relief and any other ancillary equitable relief in the circumstances of subdivision (7) of this subsection. Nothing in this subdivision shall preclude a person who claims that he is aggrieved by a violation of any provision of chapter 152 or any other provision of the general statutes relating to referenda from pursuing injunctive and any other ancillary equitable relief directly from the Superior Court by the filing of a complaint;

(9) To refer to the Attorney General evidence pertaining to any ruling which the commission finds to be in error made by election officials in connection with any election, primary or referendum. Those remedies and procedures available to parties claiming to be aggrieved under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall apply to any complaint brought by the Attorney General as a result of the provisions of this subdivision;

(10) To consult with the United States Department of Justice and the

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United States Attorney for Connecticut on any investigation pertaining to a violation of this section, section 9-12, subsection (a) of section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and attorney evidence bearing upon any such violation for prosecution under the provisions of the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time;

(11) To inspect reports filed with the Secretary of the State and with town clerks pursuant to chapter 150 and refer to the Chief State's Attorney evidence bearing upon any violation of law therein if such violation was committed knowingly and wilfully;

(12) To intervene in any action brought pursuant to the provisions of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court in which such action is brought when in the opinion of the court it is necessary to preserve evidence of possible criminal violation of the election laws;

(13) To adopt and publish regulations pursuant to chapter 54 to carry out the provisions of section 9-7a, this section and chapter 150; to issue upon request and publish advisory opinions in the Connecticut Law Journal upon the requirements of chapter 150, and to make recommendations to the General Assembly concerning suggested revisions of the election laws;

(14) To the extent that the Elections Enforcement Commission is involved in the investigation of alleged or suspected criminal violations of any provision of the general statutes pertaining to or relating to any such election, primary or referendum and is engaged in such investigation for the purpose of presenting evidence to the Chief State's Attorney, the Elections Enforcement Commission shall be deemed a law enforcement agency for purposes of subdivision (3) of

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subsection (b) of section 1-210, provided nothing in this section shall be construed to exempt the Elections Enforcement Commission in any other respect from the requirements of the Freedom of Information Act, as defined in section 1-200;

(15) To enter into such contractual agreements as may be necessary for the discharge of its duties, within the limits of its appropriated funds and in accordance with established procedures;

(16) To provide the Secretary of the State with notice and copies of all decisions rendered by the commission in contested cases, advisory opinions and declaratory judgments, at the time such decisions, judgments and opinions are made or issued;

(17) To receive and determine complaints filed under the Help America Vote Act, P.L. 107-252, as amended from time to time, by any person who believes there is a violation of any provision of Title III of P.L. 107-252, as amended. Any complaint filed under this subdivision shall be in writing, notarized and signed and sworn by the person filing the complaint. At the request of the complainant, there shall be a hearing on the record, conducted in accordance with sections 4-167e to 4-184, inclusive. The commission shall make a final determination with respect to a complaint prior to the expiration of the ninety-day period beginning on the date the complaint is filed, unless the complainant consents to a longer period for making such determination. If the commission fails to meet the applicable deadline under this subdivision with respect to a complaint, the commission shall resolve the complaint within sixty days after the expiration of such ninety-day period under an alternative dispute resolution procedure established by the commission.

Sec. 7. Section 9-31l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

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(a) (1) A person who is denied admission as an elector may appeal a decision of an admitting official of a town concerning the right of such person to be or remain an elector. Any such appeal [from a decision of an admitting official concerning the right of a person to be or remain an elector] shall be made to the registrars of voters of [the] such town, [where such right is in dispute, except that an appeal from the decision of a registrar] except that if the admitting official who made such decision is a registrar of voters, the appeal shall be made to the board for admission of electors of such town.

[(b)] (2) Notice of an appeal shall be in writing and delivered to the registrars or to the board for admission of electors. Within seven days after receipt of a notice of appeal, the registrars or the board, as the case may be, shall give written notice of the time and place where such appeal will be heard to the appellant and to the admitting official whose decision is the subject of the appeal. Such appeal shall be heard within twenty-one days after notice of the appeal is delivered to the registrars or the board. [A] Neither a registrar whose decision is the subject of the appeal nor a registrar who is an appellant shall [not] be a voting member of the board which hears the appeal.

[(c)] (3) The registrars or the board may receive sworn testimony and any other evidence relating to the qualifications of such person to be or remain an elector.

[(d)] (4) Within seven days after hearing an appeal, the registrars or the board shall render a decision and shall send written notice of the decision to the appellant [,] and the admitting official whose decision was the subject of the appeal. [and, if he is not the appellant, the person whose right to be or remain an elector was in dispute.]

(b) (1) The person whose right to be or remain an elector is in dispute may appeal the decision of the registrars or the board for the admission of electors under subsection (a) of this section to the State

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Elections Enforcement Commission. If an appeal is not made to the commission as provided in this subsection, the decision of the registrars or the board shall be final.

(2) Any such appeal shall be in writing and filed with the State Elections Enforcement Commission at its principal offices not later than fourteen days following the decision of the registrars or the board. A copy of any such notice of appeal shall also be delivered within such time to the registrars or the board that rendered the decision under subsection (a) of this section.

(3) The registrars or the board shall, not later than ten days after receipt of a copy of the notice of appeal, deliver the record of the hearing of the registrars or board under subsection (a) of this section to the commission.

(4) The commission shall hear such appeal not later than twenty-one days after notice of appeal is filed with the commission and shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. The commission may consider the record of the hearing delivered by the registrars or the board and may examine witnesses, documents and any other evidence that it determines may have a bearing on the proper determination of the issues brought on appeal. The commission's hearing shall be recorded.

(5) The commission shall render its decision not later than sixty days after the close of its hearing, except that an extension of time may be granted by the commission upon application of any party that sets forth circumstances that the commission determines is appropriate to granting an extension of time. The commission may also initiate an extension of time for rendering its decision, after written notice to the parties, provided all of the parties before the commission give their prior written consent.

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(6) The decision of the commission shall determine the person's right to be or remain an elector. If any such decision is adverse to such individual's right, the commission shall order both registrars to remove the elector's name from the town's active and inactive registry list and any enrollment list. Any person whose name has been so removed may reapply for admission as an elector with the registrars of voters of the same town at any time. If such application is made within four years after the commission's decision, both registrars may approve such application only after they find that there has been a substantial change in the circumstances that provided the basis for the commission's decision and that the individual is eligible to be an elector. Registrars who approve an individual's application for admission within this time period without a substantial change in circumstances may be subject to a civil penalty imposed by the commission in accordance with subdivision (2) of subsection (a) of section 9-7b, as amended by this act, if the commission determines, following a written complaint filed with the commission pursuant to said section 9-7b, that the registrars' action was without good cause and constitutes a wilful violation of a prior order of the commission.

Sec. 8. Section 9-358 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Any person who, upon oath or affirmation, legally administered, wilfully and corruptly testifies or affirms, before any registrar of voters, [or the] moderator of any election, [or] primary or referendum, any board for admission of electors or the State Elections Enforcement Commission, falsely, to any material fact concerning the identity, age, residence or other qualifications of any person whose right to be registered or admitted as an elector or to vote at any election, [is before such registrar, moderator or board] primary or referendum for the purpose of being passed upon and decided, shall be [imprisoned not more than two years] guilty of a class D felony and shall be

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disfranchised.

Sec. 9. Section 9-360 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

Any person not legally qualified who fraudulently votes in any town meeting, primary, [or] election or referendum in which [he] the person is not qualified to vote, and any legally qualified person who, at such meeting, primary, [or] election or referendum, fraudulently votes more than once at the same meeting, primary, [or] election or referendum, shall be fined not less than three hundred dollars nor more than five hundred dollars and shall be imprisoned not less than one year nor more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another [who is registered or enrolled, as the case may be, shall be fined five hundred dollars and be imprisoned one year] legally qualified person shall be guilty of a class D felony and shall be disfranchised.

Sec. 10. Section 9-361 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

The following persons shall be guilty of primary or enrollment violations: (1) Any person unlawfully voting or participating or attempting to vote or participate in any primary in which he is not eligible to vote or participate; (2) in towns divided into voting districts, any elector who registers or votes at any primary in a voting district other than the district in which such elector is legally entitled to vote at the time of such primary; (3) any elector who signs the name of another to a written application to register, without the knowledge and consent of the person whose name is signed thereto, or who falsely represents the contents of any written or printed form of application for enrollment with intent to secure the application of an elector for enrollment upon a list other than that of his true political preference;

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(4) any registrar or deputy registrar of voters who fails to hold sessions as provided in sections 9-51 and 9-53 or who fails to register an elector upon the oral or written application for enrollment of such elector, except as provided by law, or who fails to erase an elector's name as provided in section 9-59 or who registers any elector upon an enrollment list other than that declared by such elector in his application as his political preference, or who removes or erases the name of any elector from any enrollment list except as provided by law; (5) any person who fails to properly serve any notice or citation required by sections 9-60 and 9-61 when directed so to do by any registrar or deputy registrar, or who makes any false return as to any such notice or citation; and (6) any moderator of a primary of the enrolled electors of a specified party, such primary being legally called for the nomination of candidates for any public elective office, who fails to comply with the requirements of chapter 153. The penalty for any such violation shall be a fine of not more than one hundred dollars or imprisonment of not more than sixty days, or both, except that any person found to have violated subdivision (1) or (2) of this section shall be guilty of a class D felony and shall be disfranchised.

Sec. 11. Section 9-333y of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) Any person who knowingly and wilfully violates any provision of this chapter shall be fined not more than five thousand dollars or imprisoned not more than five years or both. The Secretary of the State or the town clerk shall notify the State Elections Enforcement Commission of any such violation of which said secretary or such town clerk may have knowledge. Any such fine for a violation of any provision of this chapter applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation.

(b) (1) If any campaign treasurer or lobbyist fails to file the

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statements required by section 9-333j or subsection (g) of section 9-333l, [as the case may be] or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-333f, or (B) a certification pursuant to section 9-333e that the candidate is exempt from forming a candidate committee as required by section 9-333f, within the time required, [he] the campaign treasurer, lobbyist or candidate, as the case may be, shall pay a late filing fee of [fifty-five] one hundred dollars.

(2) In the case of [a] any such statement or certification that is required to be filed with the Secretary of the State, the secretary shall, within ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed within twenty-one days after [the deadline] such notice, the person is in violation of [said] section 9-333e, 9-333f or 9-333j or subsection (g) of section 9-333l. If the person does not file such statement or certification within twenty-one days after the [deadline] the secretary mails such notice, the secretary shall notify the State Elections Enforcement Commission within twenty-eight days after [the deadline] such notice.

(3) In the case of [a] any such statement or certification that is required to be filed with a town clerk, the town clerk shall forthwith after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed within seven days after [receiving] the town clerk mails such notice, the town clerk shall notify the State Elections Enforcement Commission that the person is in violation of [said] section 9-333e, 9-333f or 9-333j or subsection (g) of section 9-333l.

(4) The penalty for any violation of [said] section 9-333e, 9-333f or 9-333j or subsection (g) of section 9-333l for which notice is provided to the State Elections Enforcement Commission by the Secretary of the

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State or the town clerk shall be a fine of not less than two hundred dollars nor more than [one] two thousand dollars or imprisonment for not more than one year, or both.

Sec. 12. Subsection (b) of section 12-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(b) The commissioner may disclose (1) returns or return information to (A) an authorized representative of another state agency or office, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any state law is being violated, or (B) an authorized representative of an agency or office of the United States, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any federal law is being violated, provided no such agency or office shall disclose such returns or return information, other than in a judicial or administrative proceeding to which such agency or office is a party pertaining to the enforcement of state or federal law, as the case may be, in a form which can be associated with, or otherwise identify, directly or indirectly, a particular taxpayer except that the names and addresses of jurors or potential jurors and the fact that the names were derived from the list of taxpayers pursuant to chapter 884 may be disclosed by the judicial branch; (2) returns or return information to the Auditors of Public Accounts, when required in the course of duty under chapter 23; (3) returns or return information to tax officers of another state or of a Canadian province or of a political subdivision of such other state or province or of the District of Columbia or to any officer of the United States Treasury Department or the United States Department of Health and Human Services, authorized for such purpose in accordance with an agreement between this state and such other state, province, political subdivision, the District of Columbia or

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department, respectively, when required in the administration of taxes imposed under the laws of such other state, province, political subdivision, the District of Columbia or the United States, respectively, and when a reciprocal arrangement exists; (4) returns or return information in any action, case or proceeding in any court of competent jurisdiction, when the commissioner or any other state department or agency is a party, and when such information is directly involved in such action, case or proceeding; (5) returns or return information to a taxpayer or its authorized representative, upon written request for a return filed by or return information on such taxpayer; (6) returns or return information to a successor, receiver, trustee, executor, administrator, assignee, guardian or guarantor of a taxpayer, when such person establishes, to the satisfaction of the commissioner, that such person has a material interest which will be affected by information contained in such returns or return information; (7) information to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality, when the information disclosed is limited to (A) a list of real or personal property that is or may be subject to property taxes in such municipality, or (B) a list containing the name of each person who is issued any license, permit or certificate which is required, under the provisions of this title, to be conspicuously displayed and whose address is in such municipality; (8) real estate conveyance tax return information or controlling interest transfer tax return information to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality to which the information relates; (9) estate tax returns and estate tax return information to the Probate Court Administrator or to the court of probate for the district within which a decedent resided at the date of the decedent's death, or within which the commissioner contends that a decedent resided at the date of the decedent's death or, if a decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated, or within which

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the commissioner contends that real estate or tangible personal property of the decedent is situated; (10) returns or return information to the Secretary of the Office of Policy and Management for purposes of subsection (b) of section 12-7a; (11) return information to the Jury Administrator, when the information disclosed is limited to the names, addresses, federal Social Security numbers and dates of birth, if available, of residents of this state, as defined in subdivision (1) of subsection (a) of section 12-701; (12) pursuant to regulations adopted by the commissioner, returns or return information to any person to the extent necessary in connection with the processing, storage, transmission or reproduction of such returns or return information, and the programming, maintenance, repair, testing or procurement of equipment, or the providing of other services, for purposes of tax administration; (13) without written request and unless the commissioner determines that disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation, returns and return information which may constitute evidence of a violation of any civil or criminal law of this state or the United States to the extent necessary to apprise the head of such agency or office charged with the responsibility of enforcing such law, in which event the head of such agency or office may disclose such return information to officers and employees of such agency or office to the extent necessary to enforce such law; (14) names and addresses of operators, as defined in section 12-407, to tourism districts, as defined in section 10-397; (15) names of each licensed dealer, as defined in section 12-285, and the location of the premises covered by the dealer's license; [and] (16) to a tobacco product manufacturer that places funds into escrow pursuant to the provisions of subsection (a) of section 4-28i, return information of a distributor licensed under the provisions of chapter 214 or chapter 214a, provided the information disclosed is limited to information relating to such manufacturer's sales to consumers within this state, whether directly or through a distributor, dealer or similar intermediary or intermediaries, of cigarettes, as defined in section 4-

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28h, and further provided there is reasonable cause to believe that such manufacturer is not in compliance with section 4-28i; and (17) returns or return information to the State Elections Enforcement Commission, upon written request by said commission, when necessary to investigate suspected violations of state election laws.

Sec. 13. (NEW) (*Effective from passage*) (a) There is established the Voting Technology Standards Board. The board shall consist of:

- (1) The Secretary of the State, or the Secretary's designee;
- (2) The executive director of the State Elections Enforcement Commission, or the executive director's designee;
- (3) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to elections;
- (4) Two persons who are members of different political parties, appointed by the president of the Registrars of Voters Association of Connecticut;
- (5) Two persons who are members of different political parties, appointed by the president of the Connecticut Town Clerks Association, Inc.;
- (6) A member of the faculty or an employee of The University of Connecticut, having expertise in computer architecture, appointed by the Governor; and
- (7) One person representing a nonpartisan organization for governmental accountability, appointed by the Governor.

(b) All appointments to the Voting Technology Standards Board shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority. The

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board shall elect a chairperson and a vice-chairperson from among its members.

(c) The Voting Technology Standards Board shall adopt standards for electronic voting technology that will ensure the integrity of the state's voting systems. Said standards shall address: (1) Accuracy; (2) protecting voter anonymity; (3) maintaining secret ballots, except where a voter requests assistance; (4) preventing a voter from voting more than once on any ballot question and from casting more votes for any office than there are persons to be elected to such office; (5) the equivalent of write-in votes; (6) reliable backup power sources so that a system is not subject to power failures; (7) handicapped accessibility; (8) simple ballot layout that will not be confusing to voters; (9) ease of navigation of multiple-screen ballots; (10) enabling voters to check and correct votes; (11) creating voter-verified paper trails; (12) adequate security precautions if individual voting systems are to be networked or if voting results will be communicated via the Internet; (13) the need for encryption; (14) adequate protection from computer viruses; and (15) any other standards necessary to protect the integrity of the voting systems.

(d) Not later than January 16, 2006, the Voting Technology Standards Board shall submit a report containing the standards for electronic voting technology adopted under subsection (c) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to elections, the Governor and the Secretary of the State, in accordance with the provisions of section 11-4a of the general statutes. The board shall terminate on the date that it submits such standards.

Sec. 14. Section 9-241 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

Any person owning or holding an interest in any voting machine, as

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defined in subsection (w) of section 9-1, may apply to the Secretary of the State to examine such machine and report on its accuracy and efficiency. The Secretary of the State shall examine the machine and determine whether, in the Secretary's opinion, the kind of machine so examined (1) meets the requirements of section 9-242, [and] (2) can be used at elections, primaries and referenda held pursuant to this title, and (3) in the case of an electronic voting machine examined by the Secretary after the Voting Technology Standards Board submits the report required under section 13 of this act, complies with the standards adopted by said board under section 13 of this act. If the Secretary of the State determines that the machine can be so used, such machine may be adopted for such use. No machine not so approved shall be so used. Each application shall be accompanied by a fee of one hundred dollars and the Secretary of the State shall not approve any machine until such fee and the expenses incurred by the Secretary in making the examination have been paid by the person making such application. Any voting machine company that has had its voting machine approved and that subsequently alters such machine in any way shall provide the Secretary of the State with notice of such alterations, including a description thereof and a statement of the purpose of such alterations. If any such alterations appear to materially affect the accuracy, appearance or efficiency of the machine, or modify the machine so that it can no longer be used at elections, primaries or referenda held pursuant to this title, at the discretion of the Secretary of the State, the company shall submit such alterations for inspection and approval, at its own expense, before such altered machines may be used. The Secretary of the State may adopt regulations, in accordance with the provisions of chapter 54, concerning examination and approval of voting machines under this section. No voting machine that records votes by means of holes punched in designated voting response locations may be approved or used at any election, primary or referendum held pursuant to this title.

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Sec. 15. Subsection (a) of section 9-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) Each person who applies for admission as an elector in person to an admitting official shall, upon a form prescribed by the Secretary of the State and signed by the applicant, state under penalties of perjury, his name, bona fide residence by street and number, date of birth, whether he is a United States citizen, whether his privileges as an elector are forfeited by reason of conviction of crime, and whether he has previously been admitted as an elector in any town in this or any other state. Each such applicant shall present his birth certificate, drivers' license or Social Security card to the admitting official for inspection at the time of application. Notwithstanding the provisions of any special act or charter to the contrary, the application form shall also, in a manner prescribed by the Secretary of the State, provide for application for enrollment in any political party, including, on any such form printed on or after the effective date of this section, a list of the names of the major parties, as defined in section 9-372, as options for the applicant. The form shall indicate that such enrollment is not mandatory.

Sec. 16. Section 9-23h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

The application provided for in section 9-23g shall provide spaces for the following information for each applicant: (1) Name, (2) bona fide residence, including street number, street address, apartment number if applicable, town and zip code, (3) telephone number, (4) date of birth, (5) whether the applicant is registered as an elector in any other town in the state of Connecticut or in any other state, and if so, the applicant's last previous voting residence, (6) whether the applicant is a United States citizen, (7) whether the applicant will be eighteen years of age on or before election day, (8) party affiliation, if

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any, (9) the applicant's signature and date of signature, and (10) the applicant's Connecticut motor vehicle operator's license number or, if none, the last four digits of the applicant's Social Security number. The spaces for the applicant's telephone number and party affiliation shall indicate that such information does not have to be provided. On any such application printed on or after the effective date of this section, the space for the applicant's party affiliation shall also include a list of the names of the major parties, as defined in section 9-372, as options for the applicant. The spaces regarding United States citizenship and whether the applicant will be eighteen years of age on or before election day shall indicate that if the applicant answers "No" to either question, the applicant may not complete the voter registration form. No Social Security number on any such form filed prior to January 1, 2000, may be disclosed to the public or to any governmental agency. The application shall contain a notice that if the applicant does not receive a notice of acceptance or rejection of the application from the office of the registrars of voters for the municipality in which the applicant resides, the applicant should contact said office. The application shall also contain any other information, questions or instructions prescribed by the Secretary of the State.

Sec. 17. Subsection (c) of section 9-391 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(c) Each endorsement of a candidate to run in a primary for the nomination of candidates for a municipal office to be voted upon at a state election shall be made under the provisions of section 9-390 not earlier than the eighty-fourth day or later than the seventy-seventh day preceding the day of such primary. Any certification to be filed under this [section] subsection shall be received by the Secretary of the State, in the case of a candidate for the office of state senator or state representative, or the town clerk, in the case of a candidate for any

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other municipal office to be voted upon at a state election, not later than four o'clock p.m. on the fourteenth day after the close of the town committee meeting, caucus or convention, as the case may be. If such a certificate of a party's endorsement is not received by the Secretary of the State or the town clerk, as the case may be, by such time, such party, for the purposes of sections 9-417 and 9-418, as amended by this act, shall be deemed to have neither made nor certified any endorsement of any candidate for such office. The candidate so endorsed for a municipal office to be voted upon at a state election, other than the office of justice of the peace, shall file with the Secretary of the State or the town clerk, as the case may be, a certificate, signed by that candidate, stating that such candidate was so endorsed, the candidate's name as the candidate authorizes it to appear on the ballot, the candidate's full street address and the title and district of the office for which the candidate was endorsed. Such certificate shall be attested by the chairman or presiding officer and the secretary of the town committee, caucus or convention which made such endorsement. The endorsement of candidates for the office of justice of the peace shall be certified to the clerk of the municipality by the chairman or presiding officer and the secretary of the town committee, caucus or convention, and shall contain the name and street address of each person so endorsed and the title of the office for which each such person is endorsed.

Sec. 18. Section 9-418 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) If within the time specified in section 9-391, as amended by this act, a party has failed, with respect to the office of state senator or state representative, to certify to the Secretary of the State, or with respect to any other municipal office to be filled, to certify to the clerk of the municipality, the name of any person as a party-endorsed candidate, and if within the time specified in section 9-405, a candidacy for

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nomination to such office is filed in conformity with the provisions of sections 9-400 to 9-414, inclusive, by not more than one person, no primary shall be held by such party for such office and the person filing such candidacy shall be deemed to have been lawfully chosen as the nominee of such party for such office.

(b) If within the time specified in section 9-391, as amended by this act, a party has failed, with respect to any municipal office to be filled by two or more persons, to certify to the clerk of the municipality names of persons as party-endorsed candidates equal in number to the number of persons to be nominated to such office, and if within the time specified in section 9-405, a candidacy or candidacies for nomination to such office are filed in conformity with the provisions of sections 9-400 to 9-414, inclusive, by a number of persons not more than the number for which the party has failed to certify names, no primary shall be held by such party for such office, and each of the party-endorsed candidates and each of the persons filing such candidacies shall be deemed to have been lawfully chosen as the nominees of such party for such office.

Sec. 19. (NEW) (*Effective July 1, 2005*) A registrar of voters who provides an enrollment list of a political party in a municipality, political subdivision or district to a candidate who will be circulating a primary petition for nomination by such party of such candidate to a state, district or municipal office, in accordance with sections 9-404a and 9-404b of the general statutes, or sections 9-409 and 9-410 of the general statutes, shall certify on the first page of such enrollment list that such list is the most recent and, to the best knowledge of the registrar, accurate enrollment list of such party in such municipality, political subdivision or district.

Sec. 20. Section 9-192a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

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(a) There is created a committee for the purpose of establishing programs and procedures for training, examining and certifying registrars of voters, deputy registrars of voters and permanent assistants, as described in section 9-192. The committee shall consist of six members, one of whom shall be from the office of the Secretary of the State, one of whom shall be from the State Elections Enforcement Commission, and four of whom shall be registrars of voters. The Secretary of the State shall appoint the registrars of voters, in consultation with the Registrars of Voters Association of Connecticut, or its successor organization. The committee members shall serve without pay. The Secretary of the State shall determine the length of the terms of the initial members, in accordance with the following: Two of such members shall serve for a one-year term; two of such members shall serve for a two-year term; and two of such members shall serve for a four-year term. Thereafter, all members shall serve for four-year terms. The committee shall select a chairperson, who shall be one of the registrars who is a member of the committee.

(b) The committee shall adopt criteria for the training, examination and certification requirements of registrars, deputies and permanent assistants. In the adoption of said criteria, the committee (1) shall consider whether the prescribed training leading to certification may, in part, be satisfied through participation in the required two conferences a year called by the Secretary of the State, pursuant to section 9-6, for purposes of discussing the election laws, procedures or matters related to election laws and procedures and (2) may recommend programs at one or more institutions of higher education that satisfy said criteria.

[(b)] Any registrar of voters, deputy or permanent assistant may participate in the course of training prescribed by the committee and, upon completing such training and successfully completing any examination or examinations prescribed by the committee, shall be

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recommended by the committee, to the Secretary of the State as a candidate for certification as a certified Connecticut registrar of voters. The Secretary of the State shall certify any such qualified, recommended candidate as a certified Connecticut registrar of voters. The Secretary of the State may rescind any such certificate only upon a finding, by a majority of the committee, of sufficient cause as defined by the criteria adopted pursuant to this subsection. [(a) of this section.]

[(c)] No provision of this [section] subsection shall require any registrar of voters, deputy or permanent assistant to be a certified registrar of voters.

(c) The committee shall also (1) develop a training program in election procedures for poll workers, and (2) develop an election law and procedures training program and guide for registrars, deputy registrars and assistant registrars. The training program developed under subdivision (2) of this section shall provide for training to be conducted by trained registrars or former registrars hired for such purpose by the Secretary of the State. The committee shall submit such training programs and training guide to the Secretary of the State, who shall approve or modify the programs and guide.

Sec. 21. Section 9-249 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) Before each election, the municipal clerk, registrars of voters, certified moderator and certified mechanic shall instruct the election officials. Any provision of the general statutes or of any special act to the contrary notwithstanding, election officials shall be appointed at least twenty days before the election except as provided in section 9-229. The clerk, registrars, certified moderator and certified mechanic shall instruct each election official who is to serve in a voting district in which a voting machine is to be used in the use of the machine and his duties in connection therewith, and for the purpose of giving such

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instruction, such instructors shall call such meeting or meetings of the election officials as are necessary. Such instructors shall, without delay, file a report in the office of the municipal clerk and with the Secretary of the State, (1) stating that they have instructed the election officials named in the report and the time and place where such instruction was given, and (2) containing a signed statement from each such election official acknowledging that the official has received such instruction.

(b) The election officials of such voting districts shall attend [such] the elections training program developed under subdivision (1) of subsection (c) of section 9-192a, as amended by this act, and any other meeting or meetings as are called for the purpose of receiving such instructions concerning their duties as are necessary for the proper conduct of the election.

(c) Each election official who qualifies for and serves in the election shall be paid not less than one dollar for the time spent in receiving such instruction, in the same manner and at the same time as [he] the official is paid for [his] the official's services on election day.

(d) No election official shall serve in any election [at which a voting machine is used unless he] unless the official has received such instruction and is fully qualified to perform [his] the official's duties in connection with the [machine] election, but this shall not prevent the appointment of an election official to fill a vacancy in an emergency.

Sec. 22. (NEW) (*Effective July 1, 2005*) Each registrar of voters shall annually designate either said registrar, the deputy registrar of voters or an assistant registrar of voters to receive at least ten hours of instruction under the elections training program developed under subdivision (2) of subsection (c) of section 9-192a of the general statutes, as amended by this act.

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Sec. 23. (NEW) (*Effective July 1, 2005*) The Secretary of the State shall establish an elections training unit to coordinate all training for registrars of voters, deputy registrars of voters, permanent assistant registrars of voters as described in section 9-192 of the general statutes and poll workers. Such unit shall employ at least one person having field experience in the conduct of elections.

Sec. 24. Subsection (a) of section 9-333j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) (1) Each campaign treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-333e, (A) on the [seventh] tenth calendar day in the months of January, April, July and October, provided, if such [seventh] tenth calendar day is a Saturday, Sunday or legal holiday, the statement shall be filed on the next business day, (B) on the seventh day preceding each regular state election, except that (i) in the case of a candidate or exploratory committee established for an office to be elected at a municipal election, the statement shall be filed on the seventh day preceding a regular municipal election in lieu of such date, and (ii) in the case of a town committee, the statement shall be filed on the seventh day preceding each municipal election in addition to such date, and (C) if the committee has made or received a contribution or expenditure in connection with any other election, a primary or a referendum, on the seventh day preceding the election, primary or referendum. The statement shall be complete as of the last day of the month preceding the month in which the statement is required to be filed, except that for the statement required to be filed on the seventh day preceding the election, primary or referendum, the statement shall be complete as of seven days immediately preceding the required filing day. The statement shall cover a period to begin

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with the first day not included in the last filed statement. In the case of a candidate committee, the statement required to be filed in January shall be in lieu of the statement formerly required to be filed within forty-five days following an election.

(2) Each campaign treasurer of a candidate committee, within thirty days following any primary, and each campaign treasurer of a political committee formed for a single primary, election or referendum, within forty-five days after any election or referendum not held in November, shall file statements in the same manner as is required of them under subdivision (1) of this subsection. If the campaign treasurer of a candidate committee established by a candidate, who is unsuccessful in the primary or has terminated his candidacy prior to the primary, distributes all surplus funds within thirty days following the scheduled primary and discloses the distribution on the postprimary statement, such campaign treasurer shall not be required to file any subsequent statement unless the committee has a deficit, in which case he shall file any required statements in accordance with the provisions of subdivision (3) of subsection (e) of this section.

(3) In the case of state central committees, (A) on [each January thirtieth, April tenth and July tenth] the tenth calendar day in the months of January, April and July, provided, if such tenth calendar day is a Saturday, Sunday or legal holiday, on the next business day, and (B) on the twelfth day preceding any election, the campaign treasurer of each such committee shall file with the proper authority, a statement, sworn under penalty of false statement, complete as of the last day of the month immediately preceding the month in which such statement is to be filed in the case of statements required to be filed in January, April and July, and complete as of the nineteenth day preceding an election, in the case of the statement required to be filed on the twelfth day preceding an election, and in each case covering a period to begin with the first day not included in the last filed

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statement.

Sec. 25. Section 9-46a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) A person who has been convicted of a felony and committed to confinement in a federal or other state correctional institution or facility or community residence shall have such person's electoral privileges restored upon submission of written or other satisfactory proof to the admitting official before whom such person presents his or her qualifications to be admitted as an elector, that all fines in conjunction with the conviction have been paid and that such person has been discharged from confinement, and, if applicable, parole.

(b) Upon the release from confinement in a correctional institution or facility or a community residence of a person who has been convicted of a felony and committed to the custody of the Commissioner of Correction and, if applicable, the discharge of such person from parole, (1) the person shall have the right to become an elector, (2) the Commissioner of Correction shall give the person a document certifying that the person has been released from such confinement and, if applicable, has been discharged from parole, (3) if the person was an elector at the time of such felony conviction and, after such release and any such discharge, is residing in the same municipality in which the person resided at the time of such felony conviction, the person's electoral privileges shall be restored upon submitting to an admitting official such document or other satisfactory proof that the person has been released from such confinement and, if applicable, discharged from parole, and (4) if the person was an elector at the time of such felony conviction and, after such release and any such discharge, is residing in a different municipality or if the person was not an elector at the time of such felony conviction, the person's electoral privileges shall be restored or granted upon submitting to an admitting official (A) satisfactory proof of the person's qualifications to

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be admitted as an elector, and (B) such document or other satisfactory proof that the person has been released from confinement and, if applicable, discharged from parole. The provisions of subdivisions (1) to (4), inclusive, of this subsection shall not apply to any person convicted of a felony for a violation of any provision of this title until such person has been discharged from any parole or probation for such felony. No admitting official shall require that a person under this subsection submit a document from the Commissioner of Correction, as described in subdivision (2) of this subsection, in order to prove that the person has been discharged from confinement and, if applicable, discharged from parole.

(c) The registrars of voters of the municipality in which a person is admitted as an elector pursuant to subsection (a) or (b) of this section, within thirty days after the date on which such person is admitted, shall notify the registrars of voters of the municipality wherein such person resided at the time of such person's conviction that such person's electoral rights have been so restored.

(d) The Commissioner of Correction shall establish procedures to inform those persons who have been convicted of a felony and committed to the custody of said commissioner for confinement in a correctional institution or facility or a community residence, and are eligible to have their electoral privileges restored or granted pursuant to subsection (b) of this section, of the right and procedures to have such privileges restored. The Office of Adult Probation shall, within available appropriations, inform such persons who are on probation on January 1, 2002, of their right to become electors and procedures to have their electoral privileges restored, which shall be in accordance with subsections (b) and (c) of this section.

(e) The Commissioner of Correction shall, on or before the fifteenth day of each month, transmit to the Secretary of the State a list of all persons convicted of a felony and committed to the custody of said

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commissioner and who, during the preceding calendar month, have been released from confinement in a correctional institution or facility or a community residence and, if applicable, discharged from parole. Such lists shall include the names, birth dates and addresses of such persons, with the dates of their convictions and the crimes of which such persons have been convicted. The Secretary of the State shall transmit such lists to the registrars of the municipalities in which such convicted persons resided at the time of their convictions and to the registrars of any municipalities where the secretary believes such persons may be electors.

Sec. 26. Subsection (y) of section 9-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(y) "The last session for admission of electors prior to an election" means the day which is the [fourteenth] seventh day prior to an election.

Sec. 27. Subsection (a) of section 9-17 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

(a) For the purposes of this section, "primary day" means the day that a primary for state, district and municipal offices is being held in accordance with section 9-423, and "election day" means the day of each regular election. (1) The registrars of voters of each town shall hold sessions to examine the qualifications of electors and admit those found qualified on the dates and at the times set forth in this section. Such sessions shall be held on the following days during the hours indicated, except as provided in subdivision (2) of this subsection:

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Day	Hours
Fourteenth day before primary day	any two hours between 5:00 p.m. and 9:00 p.m.
Saturday of third week before election day	10:00 a.m. to 2:00 p.m.
[Fourteenth] <u>Seventh</u> day before election day	9:00 a.m. to 8:00 p.m.

The session of the registrars of voters on the [fourteenth] seventh day before election day shall be the last regular session for the admission of electors prior to an election, as defined in subsection (y) of section 9-1, as amended by this act. (2) No town having a population of less than twenty-five thousand persons shall be required to hold sessions for admission of electors on the fourteenth day before primary day.

Sec. 28. Section 9-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2006*):

The registrars of all towns shall, on the second Friday preceding a regular election, deposit in the town clerk's office the final registry list arranged as provided in section 9-35 and certified by them to be correct, and shall retain a sufficient number of copies to be used by them at such election for the purpose of checking the names of those who vote. They shall place on such final list, in the order provided in section 9-35, the names of all persons who have been admitted as electors. In each municipality said registrars shall also cause to be prepared and printed and deposited in the town clerk's office a supplementary or updated list containing the names and addresses of electors to be transferred, restored or added to such list prior to the [sixth day] fourth before such election, provided in municipalities having a population of less than twenty-five thousand, such additional names may be inserted in writing in such final list. Such final registry

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list and supplementary or updated list deposited in the town clerk's office shall be on file in such office for public inspection for a period of two years, and any elector may make copies thereof.

Sec. 29. Subdivision (5) of subsection (d) of section 9-242 of the general statutes, as amended by section 7 of public act 05-188, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) (A) Be accessible to blind or visually impaired persons by providing each elector, if desired by the elector, an audio description of the contemporaneously produced individual, permanent, paper record containing all of the elector's selections of ballot preferences, in addition to an audio description of the electronic summary screen and comply with such additional standards of accessibility included in regulations that the Secretary of the State may adopt in accordance with the provisions of chapter 54.

(B) Notwithstanding the provisions of subparagraph (A) of this subdivision, on or before June 30, 2007, the Secretary the State may approve an electronic voting machine that does not comply with the provisions of said subparagraph if (i) the Secretary determines that there are no electronic voting machines available for purchase or lease at the time of such approval that are capable of complying with said subparagraph (A), (ii) the electronic voting machine complies with the provisions of subdivisions (1) to (4), inclusive, of this subsection, and (iii) the person applying to the Secretary for approval of the electronic voting machine agrees to include a provision in any contract for the sale or lease of such voting machines that requires such person, upon notification by the Secretary that modifications to such machines that would bring the machines into compliance said subparagraph (A) are available, to (I) so modify any electronic voting machines previously sold or leased under such contract in order to comply with said subparagraph (A), and (II) provide that any electronic voting machines

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sold or leased after receipt of such notice comply with said subparagraph (A). No voting machine approved under this subparagraph shall be used on or after July 1, 2007, unless it has been modified to comply with the provisions of subparagraph (A) of this subdivision.

Sec. 30. Subdivision (5) of section 8 of public act 05-188, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) Not later than five business days after each election in which a direct recording electronic voting machine is used, the registrars of voters or their designees, representing at least two political parties, shall conduct a manual audit of the votes recorded on at least (A) two direct recording electronic voting machines used in each assembly district, or (B) a number of direct recording electronic voting machines equal to fifty per cent of the number of voting districts in the municipality, whichever is less. Not later than five business days after a primary in which a direct recording electronic voting machine is used, the registrar of voters of the party holding the primary shall conduct such a manual audit by designating two or more individuals, one of whom may be the registrar, representing at least two candidates in the primary. The machines audited under this subdivision shall be selected in a random drawing that is announced in advance to the public and is open to the public. All direct recording electronic voting machines used within an assembly district shall have an equal chance of being selected for the audit. The Secretary of the State shall determine and publicly announce the method of conducting the random drawing, before the election. The manual audit shall consist of a manual tabulation of the contemporaneously produced, individual, permanent, voter-verified, paper records produced by each voting machine subject to the audit and a comparison of such count, with respect to all candidates and any questions or proposals appearing on the ballot, with the electronic vote tabulation reported for such voting

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machine on the day of the election or primary. Such audit shall not be required if a recanvass has been, or will be, conducted on the voting machine. Such manual audit shall be noticed in advance and be open to public observation. A reconciliation sheet, on a form prescribed by the Secretary of the State, that reports and compares the manual and electronic vote tabulations of each candidate and question or proposal on each such voting machine, along with any discrepancies, shall be prepared by the audit officials, signed and forthwith filed with the town clerk of the municipality and the Secretary of the State. If any contemporaneously produced, individual, permanent, voter-verified, paper record is found to have been damaged, the same procedures described in subdivision (3) of this section for substituting such record with the voting machine generated, individual, permanent, paper record produced by the voting machine bearing the identical machine generated unique identifier as the damaged record shall apply and be utilized by the audit officials to complete the reconciliation. The reconciliation sheet shall be open to public inspection and may be used as prima facie evidence of a discrepancy in any contest arising pursuant to chapter 149 of the general statutes. If the audit officials are unable to reconcile the manual count with the electronic vote tabulation and discrepancies, the Secretary of the State shall conduct such further investigation of the voting machine malfunction as may be necessary for the purpose of reviewing whether or not to decertify the voting machine or machines and may order a recanvass in accordance with the provisions of subdivision (4) of this section.

Sec. 31. (NEW) (*Effective July 1, 2005*) Notwithstanding the provisions of title 9 of the general statutes, if a candidate is elected to two or more offices in a municipality at the same election and is prohibited by any provision of the general statutes, a charter or an ordinance from holding more than one such office, the candidate shall notify the registrars of voters and the municipal clerk of the office to which the candidate declines election, and the candidate for such office

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who receives the next highest number of votes at such election shall be deemed to have been elected to such office.

Sec. 32. Subdivision (1) of section 9-450 of the general statutes, as amended by section 3 of public act 05-188, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(1) In the case of a vacancy in the office of representative in Congress or judge of probate in a probate district composed of two or more towns, provided for in sections 9-212 and 9-218, the day named for the election shall be not earlier than the sixty-third day following the day on which the Governor issues writs of election. If such a vacancy occurs between the one hundred twenty-fifth day and the sixty-sixth day before the day of a regular state election, the Governor shall issue such writs on the sixty-third day before the day of such state election, ordering an election to be held on the day of such state election. If such a vacancy occurs after the sixty-sixth day before the day of a regular state election but before the Wednesday following the first Monday of January of the succeeding year, the Governor shall not issue such writs and no election shall be held under sections 9-212 and 9-218 and this subdivision, unless the position vacated is that of member-elect, in which case the Governor shall issue such writs and an election shall be held as provided in said sections and this subdivision. The delegates to the district convention held for the purpose of nominating a candidate for the office of representative in Congress or judge of probate in a probate district, as the case may be, for the last state election shall be the delegates for the purpose of selecting a candidate to fill such vacancy. If a vacancy occurs in the delegation from any town, political subdivision or district, such vacancy may be filled by the town committee of the town in which the delegate resided. Nominations by political parties pursuant to this section may be made and certified at any time after the vacancy in the office of representative in Congress or judge of probate and not later

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than the thirty-fifth day before the day of the election. No primary shall be held for the nomination of any political party to fill any vacancy in the office of representative in Congress or judge of probate and the party-endorsed candidate so selected shall be deemed, for the purposes of chapter 153, the person certified by the Secretary of the State under section 9-444 as the nominee of such party.]

(1) In the case of nominations for representatives in Congress and judges of probate in probate districts composed of two or more towns, provided for in sections 9-212 and 9-218, if the writs of election are issued by the Governor on or before the twenty-first day of May in an even-numbered year and the election is to be held on the day of the state election in such year, the state central committee or other authority of each party shall, not later than the twenty-fourth day of May in such year, publish notice of the date for the selection of delegates to the state or district convention to designate the party-endorsed candidate for the office to be filled. Such selection shall be made not earlier than the fifty-sixth day after publication of such notice and not later than the fifth day before the convention. If such writs of election are issued after the twenty-first day of May in such year, or if the election is to be held on any day other than the day of the state election, the day scheduled for the election shall be not earlier than the ninety-first day following the day on which such writs of election are issued. The state central committee or other authority of each party shall, not later than the eighty-fourth day preceding the day of the election, publish notice of the day for the selection of delegates to the state or district convention to designate the party-endorsed candidate for the office to be filled, which day shall be not earlier than the twenty-eighth day following such publication and not later than the fifty-sixth day preceding the day of the election. The selected delegates to such convention shall be certified to the town clerks not later than the twenty-first day preceding the day of such primary. The state or district convention shall be convened not earlier than the fifth

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day following such primary and closed not later than the forty-ninth day preceding the day of the election. Contesting candidacies for nomination to the office to be filled shall be filed not later than four o'clock p.m. on the fifth day following the close of such convention. The Secretary of the State shall fix the day for the primary of each party for the nomination to the office to be filled, which day shall be not earlier than the twenty-first day following the close of such convention and not later than the twenty-first day preceding the day of the election.

Approved July 8, 2005